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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,214	02/14/2002	Douglas M. Crockett	020200	3104

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Patents Department
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EXAMINER	
DESIR, PIERRE LOUIS	
ART UNIT	**PAPER NUMBER**
2681	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/077,214	CROCKETT ET AL.	
	Examiner	Art Unit	
	Pierre-Louis Desir	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 April 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 06/27/2005 have been fully considered but they are not persuasive.

Applicant argues that Tuulos fails to disclose the feature of receiving a member list from an active group call and sending a request to a server to remove the member list from the active group call.

Examiner respectfully disagrees with applicant's assertions regarding Tuulos disclosure. Tuulos discloses (see col. 5, lines 54-66) that the Infra receives a removal message from a user. The received removal message includes the identifier C of the subscriber, subscribers or group call that is to be removed. The identifier C of the subscribers that is to be removed represents a member list that is to be removed. The user also sends a request to remove the member list from the ongoing call (i.e., the user transmits a removal message to the telecommunication network Infra) (see col. 5, lines 54-66). Since there is no specification of who would be sending the request, the stated disclosure reads on the stated limitation of the claim 1. Therefore, the claim rejection stands as written.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5-7, 11-13, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tuulos, U.S. Patent No. 5842136.

Regarding claim 1, Tuulos discloses in a communication device (i.e., subscriber station) (see abstract), a method for removing a member from an active group call in a group communication network (see abstract), the method comprising: receiving a member list from a user (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract); and sending a request to a server to remove the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract).

Regarding claim 3, Tuulos discloses a communication device for removing a member from an active group call in a group communication network, comprising: means for receiving a member list from a user (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract); and means for sending a request to a server to remove the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract).

Regarding claim 5, Tuulos discloses in a server (i.e. database) (see col. 2, line 28) a method for removing a member from an active group call in a group communication network (see abstract), the method comprising: receiving a request for removing a member list from an active group call (i.e., to remove the desired subscriber stations from the call, the first subscriber

station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract); and removing the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract).

Regarding claim 6, Tuulos discloses a method (see claim 5 rejection) further including announcing each member in the member list that they are being removed from the group call (i.e., the telecommunication network, 306, Infra transmits a removal or release message to the subscribers) (see col. 5, lines 63-64).

Regarding claim 7, Tuulos discloses a method (see claim 6 rejection), further including: receiving acknowledgement from each member in the member list (i.e., when the subscribers to be removed receive the removal or release messages, they transmit an acknowledgment message to the Infrastructure) (see col. 5, line 66 through col. 6, lines 1-2); and sending a response to the request, indicating that the member list has been removed (i.e., the Infra further transmits an acknowledgement to the A-subscribers D) (see col. 6, lines 2-3).

Regarding claim 11, Tuulos discloses a server (i.e., database) (see col. 2, line 28) for removing a member from an active group call in a group communication network, the method comprising: means for receiving a request for removing a member list from an active group call (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract); and means for removing the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract).

Regarding claim 12, Tuulos discloses a server (see claim 11 rejection), further including means for announcing each member in the member list that they are being removed from the group call (i.e., the telecommunication network, 306, Infra transmits a removal or release message to the subscribers) (see col. 5, lines 63-64).

Regarding claim 13, Tuulos discloses a server (see claim 12 rejection), further including: means for receiving acknowledgement from a member who wishes to participate in the group call (i.e., when the subscribers to be removed receive the removal or release messages, they transmit an acknowledgment message to the Infrastructure) (see col. 5, lines 22-39, and line 66 through col. 6, lines 1-2); and means for sending a response to the request, indicating that the member list has been removed (i.e., the Infra further transmits an acknowledgement to the A-subscribers D) (see col. 6, lines 2-3).

Regarding claim 17, Tuulos discloses a server (i.e., for removing a member from an active group call in a group communication network (see abstract), the server comprising: a dispatcher that receives a request for removing a member from an active group call based on a member list (see col. 2, lines 11-14); and a controller that removes the member based on the member list (see col. 2, lines 11-14).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuulos in view of Jackson et al. (Jackson), U.S. Patent No. 6477387.

Regarding claim 2, Tuulos discloses in a communication device (se abstract) a method for removing a member from an active group call in a group communication network (see abstract). The method comprising receiving a member list from a user (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract); and sending a request to a server to remove the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract).

Although Tuulos discloses a method as described above, Tuulos fails to specifically disclose a computer-readable medium (i.e., memory) embodying the method.

However, Jackson discloses a computer-readable medium (i.e., memory including ROM, RAM, PROM) (see col. 5, lines 8-12) embodying a method in a group communication.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts, which are analogous, to arrive at the claimed invention. A motivation for doing so would have been to ensure the proper execution of the process.

Regarding claim 8, Tuulos discloses in a server (i.e., database) (see col. 2, line 28), a method for a method for removing a member from an active group call in a group communication network (see abstract), the method comprising: receiving a request for removing a member list from an active group call (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more

other subscriber stations from the call) (see abstract); and removing the member list from the active group call.

Although Tuulos discloses a method as described above, Tuulos fails to specifically disclose a computer-readable medium (i.e., memory) embodying the method.

However, Jackson discloses a computer-readable medium (i.e., memory including ROM, RAM, PROM) (see col. 5, lines 8-12) embodying a method in a group communication.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts, which are analogous, to arrive at the claimed invention. A motivation for doing so would have been to ensure the proper execution of the process.

Regarding claim 9, Tuulos discloses a method (see claim 8 rejection and reasoning as related to the computer-readable medium) further includes announcing each member in the member list that they are being removed from the group call (i.e., the telecommunication network, 306, Infra transmits a removal or release message to the subscribers) (see col. 5, lines 63-64).

Regarding claim 10, Tuulos discloses a method (see claims 9 rejection, and claim 9 reasoning as related to the computer-readable medium) wherein the method further includes: receiving acknowledgement from a member in the member list who wishes to participate in the group call (i.e., when the subscribers to be removed receive the removal or release messages, they transmit an acknowledgment message to the Infrastructure) (see col. 5, line 66 through col. 6, lines 1-2); and sending a response to the request, indicating that the member list has been removed (i.e., the Infra further transmits an acknowledgement to the A-subscribers D) (see col. 6, lines 2-3).

Claims 4, 14-16, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuulos in view of Paanoven, U.S. Patent 5634197.

Regarding claim 4, Tuulos discloses a communication device for removing a member from an active group call in a group communication network (see abstract), the communication device comprising: receiving a member list from a user (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract and col. 2, lines 11-14); and sending a request to a server to remove the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract and col. 2, lines 11-14).

Although Tuulos discloses a device as described, Tuulos fails to specifically disclose a device comprising a receiver, a transmitter, and a processor communicatively coupled to the receiver and the transmitter.

However, Paanoven discloses a subscriber station comprising a transceiver and a control unit communicatively connected to the transceiver (see col. 3, lines 22-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts, which are analogous to arrive at the claimed invention. A motivation for doing so would have been to ensure the proper execution of the removal procedure.

Regarding claim 14, Tuulos discloses a server (i.e. database) (see col. 2, line 28) for removing a member from an active group call in a group communication network (see abstract),

the server comprising: receiving a request for removing a member list from an active group call (i.e., to remove the desired subscriber stations from the call, the first subscriber station instructs the telecommunication network to remove one or more other subscriber stations from the call) (see abstract and col. 2, lines 11-14); and removing the member list from the active group call (i.e., the telecommunication network removes one or more other subscriber stations from the call without the call being interrupted) (see abstract, and col. 2, lines 11-14).

However, Paanoven discloses a subscriber station comprising a transceiver and a control unit communicatively connected to the transceiver (see col. 3, lines 22-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both arts, which are analogous to arrive at the claimed invention. A motivation for doing so would have been to ensure the proper execution of the removal procedure.

Regarding claim 15, Tuulos discloses a server (see claim 14 rejection, and reasoning) comprising announcing each member in the member list that they are being removed from the group call (i.e., the telecommunication network, 306, Infra transmits a removal or release message to the subscribers) (see col. 5, lines 63-64).

Regarding claim 16, Tuulos discloses a server (see claim 15, rejection, and claim 14 reasoning) comprising receiving acknowledgement from a member who wishes to participate in the group call (i.e., when the subscribers to be removed receive the removal or release messages, they transmit an acknowledgment message to the Infrastructure) (see col. 5, lines 22-39, and line 66 through col. 6, lines 1-2); and sending a response to the request, indicating that the member list has been removed (i.e., the Infra further transmits an acknowledgement to the A-subscribers

D) (see col. 6, lines 2-3).

Regarding claim 18, Tuulos discloses a server as described above (see claim 17 rejection).

Although Tuulos discloses a server comprising of a dispatcher as described, Tuulos fails to specifically disclose a server wherein the dispatcher determines location information for each member in the member list.

However, Paanoven discloses a controller comprising memory means, wherein information necessary for the operation of the mobile radio system is stored. This information may include information related to the location of the subscriber stations (see col. 6, lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both teachings to arrive at the claimed invention. A motivation for doing so would have been to ensure the accurate location of the user so that secure service may be rendered.

Regarding claim 19, Tuulos discloses a server as described above (see claim 17 rejection).

Although Tuulos discloses a server as described, Tuulos fails to specifically disclose a server wherein the controller includes a local controller for a member that is located within a local region.

However, Paanoven discloses a controller, which includes a local controller for a member that is located within a local region (see col. 5, lines 44-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine both teachings to arrive at the claimed invention. A motivation for doing so

would have been to ensure the accurate location of the user so that secure service may be rendered.

Regarding claim 20, Tuulos discloses a server (see claim 17 and 18 rejections) wherein the controller (i.e. dispatcher) includes a remote controller for a member that is located outside a local region (i.e., a dispatcher supervising the call, can add new subscribers. Thus, one skilled in the art would immediately envision that the new subscriber were located outside the local region, and the dispatcher served as a remote controller, so the new subscribers can be added in the group call.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Louis Desir whose telephone number is 703-605-4312. The examiner can normally be reached on (571) 272-7799.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pierre-Louis Desir
AU 2681
09/06/2005

JEAN GELIN
PRIMARY EXAMINER